

ORDINANCE 1501

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTER 18.10.025 SPECIAL DISTRICTS, BY CREATING A NEW SUB-SECTION C 4. TANNER JUNCTION MASTER PLAN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 36.70A.040 requires the City of North Bend to prepare a Comprehensive Land Use Plan under Growth Management Act (GMA) and to implement such plan with development regulations, including the zoning code, which are to be consistent with the plan; and

WHEREAS, RCW 36.70A.130(4)(a) requires that the City of North Bend Comprehensive Land Use Plan and development regulations, including the zoning code, shall be subject to continuing review and evaluation by the City; and

WHEREAS, the City of North Bend Comprehensive Land Use Plan Goal LU-4.1 calls for the City to ensure a high level of design and retention of the City's unique visual quality to areas zoned for commercial and industrial land uses by establishing zoning amendments that control building scale, height, lighting, signage and landscaping; and

WHEREAS, North Bend Industrial Park LLC and Crown Lakes LLC submitted a complete application on May 22, 2013 for the proposed overlay district and staff provided a recommendation as an amendment to NBMC 18.10.025 Special Districts, attached hereto as Exhibit A (Proposed Amendments); and

WHEREAS, the Proposed Amendments are intended to provide a process by which a coordinated planned mix of uses, landscape buffers and vehicular circulation may be provided; and

WHEREAS, the Planning Commission reviewed and considered Proposed Amendments at their July 25, 2013 meeting; and

WHEREAS, public comment was received and considered at the August 8, 2013 public hearing on NBMC 18.10.025, and was generally supportive of the Proposed Amendments and the Planning Commission recommended approval of the Proposed Amendments; and

WHEREAS, the Community and Economic Development Council Committee reviewed the Proposed Amendments and requested that they be brought forward for City Council consideration; and

WHEREAS, the Proposed Amendments were submitted to the Washington Department of Commerce for review on July 16, 2013; and

WHEREAS, the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) for the non-project amendment to NBMC 18.10.025 on June 26, 2013, and received no comments on the SEPA DNS; and

WHEREAS, pursuant to the procedures established in NBMC 20.08, notice of the public hearing and SEPA DNS was provided by publication of a legal notice in the Snoqualmie Valley Record, posting at the City's four official posting locations, and posting of the hearing, SEPA DNS, and the Proposed Amendments on the City's website, which were updated frequently; and

WHEREAS, the Council finds that the Proposed Amendments address and are consistent with the requirements of the Growth Management Act; and

WHEREAS, the Council finds that the City followed procedural requirements of NBMC Chapter 20.08 to notify and advertise the Proposed Amendments to the public and interested agencies and pursuant to this, the Planning Commission and subsequently the City Council considered all written and verbal comments received during their respective processes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. NBMC Chapter 18.10.025, Amended: The City Council adopts the amendments to Chapter 18.10.025 of the North Bend Municipal Code, Special Districts, in a form attached hereto as Exhibit A.

Section 2. The Community and Economic Development Director is hereby authorized and directed to make necessary edits to the City of North Bend Official Zoning Map to depict the areas subject to the Master Plan Overlay District.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF
SEPTEMBER, 2013.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Published: September 25, 2013
Effective: September 30, 2013

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk